

WC 10-259
DOCKET FILE COPY ORIGINAL

Rec



CROCKER & CROCKER, P.C.
ATTORNEYS AT LAW

FCC 10-259

PATRICK D. CROCKER
patrick@crockerlawfirm.com

December 2, 2010

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW – Room TW-A325
Washington, DC 20554

RE: Section 63.71 Application of First Communications, LLC for
Discontinuance of Local Exchange Telecommunications Services in
Specific Central Offices in Massachusetts and New York

Dear Ms. Dortch:

Enclosed please find an original and four (4) copies of the Application of First Communications, LLC ("FCL") for authority to discontinue the provision of local exchange services in specific central offices in Massachusetts and New York on or before January 31, 2011.

Enclosed is a duplicate of this letter. Please date-stamp the duplicate and return same in the enclosed postage-paid envelope attached thereto.

Should you have any questions concerning this filing, please contact me at (269) 381-8893 or by email at patrick@crockerlawfirm.com

Very truly yours,

CROCKER & CROCKER, P.C.

Patrick D. Crocker

PDC/pas

cc: Special Assistant for Telecommunications, Secretary of Defense
Massachusetts Department of Telecommunications and Cable
New York State Department of Public Service
Governor of Massachusetts
Governor of New York

are impacted by this discontinuance of service, with 118 customers in New York and 115 customers in Massachusetts.

FCL individually notified affected customers of its proposed discontinuance of service via letter sent first class mail on November 30, 2010.

In support of this Application, FCL provides the following information pursuant to Section 63.71 of the Commission's rules:

I. Information Required by 47 C.F.R. § 63.71(a)(1) – (a)(4)

1. Name and Address of Carrier

First Communications, LLC
3340 West Market Street
Akron, OH 44333

Correspondence concerning this Application should be sent to

Patrick D. Crocker
Crocker & Crocker, P.C.
107 W Michigan Ave, 4th Floor
Kalamazoo, MI 49007
Telephone: (269) 381-8893
Facsimile: (269) 381-4855
patrick@crockerlawfirm.com

2. Date of Planned Service Discontinuance, Reduction or Impairment

FCL intends to discontinue service to the affected customers on January 31, 2011.

3. Points of Geographic Areas of Service Affected

Applicant is proposing to discontinue local exchange services in specific central offices in Massachusetts and New York. Lists of the specific central offices affected are attached hereto as Exhibit A. Applicant intends to retain its certification and will continue to provide services in Massachusetts and New York with the exception of these central offices.

4. Brief Description of Types of Service Affected

FCL provides service to customers in the affected central offices by purchasing Wholesale Advantage, formerly UNE-P, which includes a complete platform of network elements from Verizon.

II. Notice to Customers

In accordance with 47 C.F.R. § 63.71(a) and applicable state law, FCL has notified all affected customers of the planned discontinuance of the local exchange services. Specifically, FCL sent letters via first class U.S. Mail to each affected customer on or before November 30, 2010, which is on or before the deadline set forth in applicable state law. These notices include all the information required by 47 C.F.R. § 63.71(a)(1) – (a)(4), as well as the statement applicable to non-dominant carriers set forth in 47 C.F.R. § 63.71(a)(5)(i). Where the state requires multiple notices, FCL will fully comply with all notice requirements. Copies of these letters are attached hereto as Exhibit B.

III. Notice to States and Department of Defense

In accordance with 47 C.F.R. 63.71(a), Notice has been sent to the State Regulatory agencies, Governors' offices and the Secretary of Defense concurrent with this filing. A service list is provided in Exhibit C.

IV. Non-Dominant Status

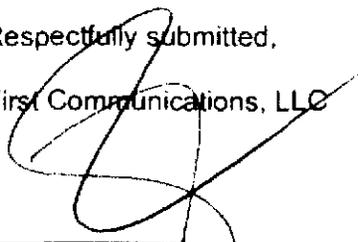
FCL is a non-dominant carrier with respect to the service being discontinued.

Conclusion

Pursuant to Section 214(a) of the Communication Act of 1934, as amended, and 47 C.F.R. § 63.71, First Communications, LLC understands that this Application will be automatically granted on the 31st day after the Public Notice is released, with no Commission notification to the Company, unless the Commission has notified the Company that the grant will not be automatically effective.

Respectfully submitted,

First Communications, LLC



Patrick D. Crocker
Crocker & Crocker P.C.
107 W Michigan Avenue, 4th Floor
Kalamazoo, MI 49007
Telephone: (269) 381-8893
Facsimile: (269) 381-4855
E-mail: patrick@crockerlawfirm.com

Its Attorney

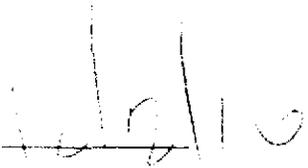
Dated: 

EXHIBIT A

Specific Central Offices Affected

Following is the list of the Massachusetts central offices where First Communications LLC will no longer provide local exchange service to customers.

| | |
|--------------|--------------|
| ADMSMAMADS0 | HDSNMAFRDS0 |
| AGWMMARODS0 | HLYKMAMADS1 |
| ASFDMAMARS1 | HMPDMAMARS1 |
| BLMTMALEDS0 | HRWCMAMADS0 |
| BOTNMAMARS1 | LDLWMAWIRS1 |
| BRLNMAHIRS1 | LWRNMACADS2 |
| BRNRMACHRS1 | MLDNMAELDS2 |
| BRPKMAWIDS0 | MLFRMAWADS0 |
| BRTNMACRDS1 | MRBOMAMADS0 |
| BVRLMAELDS0 | MYNRMAWARS1 |
| CHCPMARIDS0 | NADMMA SUDS0 |
| CHCPMAWERS1 | NATNMAMADS0 |
| CHLSMACHDS0 | NRDGMACERS1 |
| CLRNMAYARS1 | NTCKMAECDS1 |
| CRVRMAMARS1 | PPRLMAHIRS1 |
| CTMTMADERS1 | PRVNMAWIRS2 |
| DLTNMACARS1 | PTFDMAFEDS1 |
| DRCHMAADDS1 | QNCYMAHADS1 |
| EBSTMASADS1 | RKLDMAWEDS0 |
| EHMPMARADS0 | RXBRMAWADS1 |
| FLMOMAMGDS0 | SBTNMAEFDS0 |
| FLRVMANMDS1 | SPFDMAWODS2 |
| FRMNMAUNDS8 | VYHVMAEDDS0 |
| GNDLMA SUDS0 | WNSCRICLDS1 |
| GNFDMACHDS0 | WRXBMABEDS0 |
| GRBRMASCDS0 | WSBOMASUDS1 |
| GRNRMAWEDS0 | WSFDMAWADS0 |
| HBTNMAMARS1 | WYMOMAMIDS0 |

Following is the list of New York central offices where First Communications LLC will no longer provide local exchange service to customers.

| | |
|--------------|-------------|
| BNGHNYHYDS1 | NYCMNYWADS0 |
| CTBRNYCBRS0 | NYCQNYBADS0 |
| FLBGNYFBDS0 | NYCQNYCODS0 |
| FTCVNYFCRS0 | NYCQNYHSDS0 |
| GRNKNYGNDS0 | NYCQNYNWDS0 |
| HNDLNYHIRS2 | NYCQNYNWDS1 |
| MHPCNYMPRS0 | NYCXNYCRDS0 |
| MTVRNYMVDS0 | NYCXNYGCDS0 |
| NGFLNYWODS0 | NYCXNYHORS0 |
| NWBRNYNWDS0 | NYCXNYJEDS0 |
| NYCKNY14DS0 | NYCXNYTBDS0 |
| NYCKNY77DS0 | NYCXNYTRDS1 |
| NYCKNYAUDS0 | OLENNYHADS0 |
| NYCKNYAYDS0 | PGHKNYSHDS0 |
| NYCKNYBRDS0 | PGHKNYSPDS0 |
| NYCKNYBUDS0 | RVHDNYRVDS0 |
| NYCKNYFTDS0 | SCDLNYSRDS0 |
| NYCKNYLADS0 | SSLMNYSSDS0 |
| NYCKNYRADS0 | SYRCNYEPDS0 |
| NYCKNYTYDS0 | SYVLNYSADS0 |
| NYCKNYWMDS2 | TROYNY03DS0 |
| NYCMNY13DS0 | WHVRNYWHDS0 |
| NYCMNYCADS0 | WNKHNYWKRS0 |
| NYCMNYMNDSD0 | WPFLNYWFDS0 |
| NYCMNYTHDS0 | YNKRNYYNDS1 |
| NYCMNYVSDS0 | |

EXHIBIT B

Customer Notices



PHONE INTERNET WIRELESS

CUSTOMER NOTICE

November 30, 2010

YOU MUST CHOOSE A NEW LOCAL TELEPHONE SERVICE PROVIDER BY JANUARY 11, 2011.

Dear Customer:

We regret to inform you that as of January 31, 2011 First Communications, LLC will no longer be providing your local telephone service in your area of Massachusetts. Due to our underlying carrier's technical and contractual issues beyond our control, First Communications is reducing its local service footprint, eliminating your area for local service.

Your action is required! You must select a new local telephone provider as quickly as possible, but no later than January 11, 2011 or you may lose your local telephone service.

Generally, you can find a list of most local telephone service providers in your local telephone directory. If you require assistance, please contact First Communications at 800-274-1015. You may also contact the Massachusetts Department of Telecommunications and Cable; 1000 Washington Street; Suite 820; Boston, MA 02118-6500, by phone 617-305-3580 or fax 617-478-2590 with questions.

After selecting a new local telephone provider, you should also contact your current IntraLata toll provider and your long distance provider to ensure that neither your current IntraLata toll plan nor your long distance plan is changed as a result of your change in local service. If you do not contact these providers to ensure that your current calling plans remain in place after your transfer of local service, you may be charged basic rates (non-calling plan rates) for IntraLata toll and long distance calls.

First Communications must file a request to discontinue service at the FCC. The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to §63.71 Application of First Communications, LLC. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

First Communications regrets any inconvenience this change may cause you.

Sincerely,

A handwritten signature in black ink, appearing to read "Abby Knowlton".

Abby Knowlton
VP of Carrier Relations



Be heard.

November 30, 2010

PHONE INTERNET WIRELESS

Customer name

Address

City state zip

YOU MUST CHOOSE A NEW LOCAL TELEPHONE SERVICE PROVIDER BY DECEMBER 31, 2010.

Dear Customer:

We regret to inform you that as of January 31, 2011, First Communications, LLC, will no longer be a local telephone service provider in your area of New York State. Due to our underlying carrier's technical and contractual issues, which are beyond our control, First Communications will reduce its local service footprint. Unfortunately, this will eliminate our company as a provider in your area.

Your action is required! You will need to select a new local telephone provider no later than December 31, 2010. If you have not selected a new local telephone provider by that date, Verizon will automatically become your local provider.

Please be aware that you are responsible for paying all bills rendered to you for local service by First Communications during this transition in accordance with the Public Service Commission's rules and regulations.

After selecting a new local telephone provider, you should also contact your current long distance provider to ensure that your long distance calling plan is not affected by your change in local service company. Failure to contact your long distance provider could result in your long distance calls being billed at non-plan rates which are usually higher than plan or basic rates.

Generally you can find a list of most local telephone service companies in your local telephone directory. Finally, if you no longer want local service, please contact First Communications to request that your service be disconnected.

The discontinuance of your First Communications local telephone service is subject to regulatory approval by the Federal Communications Commission (FCC) and the New York Public Service Commission. The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. Address your comments to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, 445 12th Street, SW, Washington, DC 20554, and include in your comments a reference to § 63.71 (Application of First Communications, LLC). Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

First Communications regrets any inconvenience this change may cause you. If you need assistance, please call First Communications toll-free at: 800-274-1015.

Sincerely,

Abby Knowlton

VP of Carrier Relations

EXHIBIT C

Service List

Marlene H. Dortch, Office of the Secretary
Attn: Competition Policy Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street – Room TW-A325
Washington, DC 20554

Deval Patrick
Office of the Governor
Commonwealth of Massachusetts
Room 280
Boston, MA 02133

Catrice Williams, Secretary
Massachusetts Department of Telecommunications and Cable
1000 Washington Street
Suite 820
Boston, MA 02118-6500

David A. Paterson
Office of the Governor
State of New York
State Capitol
Albany, NY 12224

Jaclyn Brilling, Secretary to the Commission
New York State Department of Public Service
3 Empire State Plaza
Albany, NY 12223

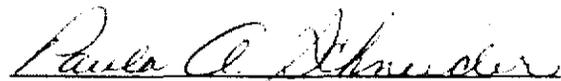
Secretary of Defense
Attn: Special Assistant for Telecommunications
Pentagon
Washington, DC 20301

CERTIFICATE OF SERVICE

STATE OF MICHIGAN)

COUNT OF KALAMAZOO)

On this date, December 2, 2010, I hereby certify that a copy of the foregoing Application of First Communications, LLC has been sent to the State Regulatory agencies, Governors' offices and the Secretary of Defense, as required under Section 63.71, concurrent with this filing. A service list is provided in Exhibit C


Paula A. Schneider